

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

In re

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L. Madoff
Investment Securities LLC and the Chapter 7 Estate of
Bernard L. Madoff,

Plaintiff,

v.

BANCA CARIGE S.P.A.,

Defendant.

Adv. Pro. No. 11-02570 (CGM)

**ORDER DENYING BANCA CARIGE S.P.A.’S MOTION TO DISMISS
THE COMPLAINT UNDER BANKRUPTCY RULE 7012(b) AND
FEDERAL RULE OF CIVIL PROCEDURE 12(b)(2) AND 12(b)(6)**

Defendant Banca Carige S.P.A.’s (“Defendant”) motion to dismiss the Complaint under Bankruptcy Rule 7012(b) and Federal Rule of Civil Procedure 12(b)(2) and 12(b)(6) (the “Motion”) came on for hearing before the Court on June 15, 2022 (the “Hearing”). The Court has considered the Motion, the papers filed in support of and in opposition to the Motion, the

Complaint, and the statements of counsel at the Hearing, and the Court has issued a memorandum decision, dated June 30, 2022, regarding the Motion (the “Decision”). Based on the record in this adversary proceeding, including the Decision, **IT IS ORDERED:**

1. The Motion to dismiss the Complaint is denied.
2. The deadline for Defendant to file an answer to the Complaint is September 12, 2022.
3. The Court shall retain jurisdiction to implement or enforce this Order.

Dated: July 12, 2022
Poughkeepsie, New York



/s/ Cecelia G. Morris

Hon. Cecelia G. Morris
U.S. Bankruptcy Judge